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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT CALIFORNIA
WESTERN DIVISION**

CENTER FOR BIOLOGICAL
DIVERSITY; WISHTOYO
FOUNDATION,

Plaintiffs,

v.

DOUG BURGUM, et al.,¹

Federal Defendants,

and

SABLE OFFSHORE CORP.,

Intervenor-Defendant.

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)
)
) Case No. 2:24-cv-05459-MWC-
) MAA
)

) **FEDERAL DEFENDANTS’**
) **ANSWER TO FIRST**
) **SUPPLEMENTAL AND**
) **AMENDED COMPLAINT**
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¹ Under Federal Rule of Civil Procedure 25(d), Mr. Burgum is automatically substituted for Debra Haaland as Secretary of the Interior.

1 Federal Defendants Doug Burgum, in his official capacity as Secretary of
2 the United States Department of the Interior; the Bureau of Safety and
3 Environmental Enforcement (“BSEE”); and Bruce Hesson, in his official capacity
4 as BSEE Pacific Regional Director submit the following Answer to Plaintiffs
5 Center for Biological Diversity and Wishtoyo Foundation’s First Supplemental and
6 Amended Complaint for Declaratory and Other Relief (ECF No. 38-2). The
7 paragraph numbers in the Answer correspond to the paragraph numbers in
8 Plaintiffs’ First Supplemental and Amended Complaint.

9 1. Federal Defendants deny the allegations in Paragraph 1.

10 2. Federal Defendants aver regarding the first sentence of Paragraph 2
11 that ExxonMobil shut down its oil and gas operations in the Santa Ynez Unit in
12 2015 due to a ruptured onshore pipeline. Federal Defendants deny the allegations
13 in the remainder of the first sentence of Paragraph 2. Federal Defendants admit the
14 allegations in the second sentence of Paragraph 2. Federal Defendants admit that
15 the spill killed birds and marine mammals and closed beaches and fisheries along
16 the coast but lack information and knowledge sufficient to form a belief as to the
17 truth of the remaining allegations in the third sentence of Paragraph 2 and deny
18 them on that basis.

19 3. Federal Defendants admit the allegations in Paragraph 3.

20 4. The allegations in Paragraph 4 are legal conclusions to which no
21 response is required. To the extent a response is required, Federal Defendants deny
22 the allegations in Paragraph 4.

23 5. The allegations in Paragraph 5 are vague and ambiguous. Federal
24 Defendants therefore lack knowledge or information sufficient to form a belief
25 about the truth of the allegations and deny them on that basis.

26 6. The allegations in the first and second sentences of Paragraph 6 are
27 conclusions of law that require no response. To the extent a response is required,

1 Federal Defendants deny the allegations in the first and second sentences of
2 Paragraph 6. Federal Defendants deny the allegations in the third sentence of
3 Paragraph 6.

4 7. Federal Defendants deny the allegations in Paragraph 7.

5 8. Federal Defendants deny the allegations in Paragraph 8.

6 9. Federal Defendants admit the allegations in the first sentence of
7 Paragraph 9 that BSEE issued two permits to Sable to for well reworking activities
8 and deny the remaining allegations in that sentence. Federal Defendants admit the
9 allegations in the second and third sentences of Paragraph 9.

10 10. The allegations in the first sentence of Paragraph 10 are conclusions
11 of law that require no response. Federal Defendants deny the allegations in the
12 second sentence of Paragraph 10.

13 11. Federal Defendants deny the allegations in Paragraph 11.

14 12. Federal Defendants deny the allegations in Paragraph 12.

15 13. Federal Defendants deny the allegations in the first sentence of
16 Paragraph 13. The allegations in the second sentence of Paragraph 13 are vague
17 and ambiguous. Federal Defendants therefore lack knowledge or information
18 sufficient to form a belief about the truth of the allegations and deny them on that
19 basis.

20 14. The allegations in Paragraph 14 characterize Plaintiffs' lawsuit and
21 require no response.

22 15. The allegations in Paragraph 15 are vague and ambiguous. Federal
23 Defendants therefore lack knowledge or information sufficient to form a belief
24 about the truth of the allegations and deny them on that basis.

25 **Jurisdiction and Venue**

26 16. The allegations in Paragraph 16 are conclusions of law that require no
27 response. To the extent a response is required, Federal Defendants admit this Court

1 has subject matter jurisdiction and deny the remaining allegations.

2 17. The allegations in Paragraph 17 are conclusions of law that require no
3 response. To the extent a response is required, Federal Defendants admit venue is
4 proper and deny the remaining allegations.

5 18. Federal Defendants lack knowledge or information sufficient to form
6 a belief about the truth of the allegations in Paragraph 18 and deny them on that
7 basis.

8 **Party Information**

9 19. Federal Defendants lack information and knowledge sufficient to form
10 a belief as to the truth of the allegations in Paragraph 19 and deny them on that
11 basis.

12 20. Federal Defendants lack information and knowledge sufficient to form
13 a belief as to the truth of the allegations in Paragraph 20 and deny them on that
14 basis.

15 21. Federal Defendants lack information and knowledge sufficient to form
16 a belief as to the truth of the allegations in Paragraph 21 and deny them on that
17 basis.

18 22. Federal Defendants lack information and knowledge sufficient to form
19 a belief as to the truth of the allegations in Paragraph 22 and deny them on that
20 basis.

21 23. Federal Defendants lack information and knowledge sufficient to form
22 a belief as to the truth of the allegations in Paragraph 23 and deny them on that
23 basis.

24 24. Federal Defendants lack information and knowledge sufficient to form
25 a belief as to the truth of the allegations in the first two sentences of Paragraph 24
26 and deny them on that basis. The allegations in the third and fourth sentences of
27 Paragraph 24 are vague and ambiguous and on that basis the Federal Defendants

1 deny them. Federal Defendants lack information and knowledge sufficient to form
2 a belief as to the truth of the allegations in sentences five through nine in Paragraph
3 24 and deny them on that basis. Federal Defendants admit in the final sentence of
4 Paragraph 24 that a spill from a pipeline connected to Platform Elly occurred in
5 October 2021, but lack information and knowledge sufficient to form a belief as to
6 the truth of the remaining allegations in that sentence and deny them on that basis.

7 25. The allegations in the first and second sentences of Paragraph 25 are
8 vague and ambiguous and on that basis the Federal Defendants deny them.

9 However, Federal Defendants aver that certain oil and gas activities inherently
10 present a risk of oil spills and those risks are minimized through proper
11 monitoring, maintenance, and BSEE oversight of operations and facilities.

12 26. The allegations in Paragraph 26 are vague and ambiguous. Federal
13 Defendants therefore lack knowledge or information sufficient to form a belief
14 about the truth of the allegation and deny them on that basis.

15 27. The allegations in the first sentence of Paragraph 27 are vague and
16 ambiguous and on that basis the Federal Defendants deny them. Federal
17 Defendants deny the allegations in the second sentence of Paragraph 27.

18 28. Federal Defendants lack information and knowledge sufficient to form
19 a belief as to the truth of the allegations in Paragraph 28 and deny them on that
20 basis.

21 29. Federal Defendants lack information and knowledge sufficient to form
22 a belief as to the truth of the allegations in Paragraph 29 and deny them on that
23 basis.

24 30. Federal Defendants lack information and knowledge sufficient to form
25 a belief as to the truth of the allegations in Paragraph 30 and deny them on that
26 basis.

27 31. Federal Defendants deny the allegations in Paragraph 31.

1 32. Federal Defendants deny the allegations in Paragraph 32.

2 33. The allegations in Paragraph 33 are conclusions of law that require no
3 response. To the extent a response is required, Federal Defendants deny the
4 allegations.

5 34. Federal Defendants admit the allegations in Paragraph 34.

6 35. Federal Defendants admit the allegations in Paragraph 35.

7 36. Federal Defendants admit the allegations in Paragraph 36 but aver that
8 Mr. Hesson's responsibilities are limited to BSEE's Pacific Region.

9 **Statutory Background**

10 37. The allegations in Paragraph 37 purport to characterize the Outer
11 Continental Shelf Lands Act, which speaks for itself and is the best evidence of its
12 contents. Any allegations contrary to the plain language are denied.

13 38. The allegations in Paragraph 38 purport to characterize the Outer
14 Continental Shelf Lands Act, which speaks for itself and is the best evidence of its
15 contents. Any allegations contrary to the plain language are denied.

16 39. The allegations in Paragraph 39 purport to characterize the Supreme
17 Court's decision in *Sec'y of the Interior v. California*, 464 U.S. 312 (1984), which
18 speaks for itself and is the best evidence of its contents. Any allegations contrary to
19 the plain language are denied.

20 40. The allegations in Paragraph 40 purport to characterize the Outer
21 Continental Shelf Lands Act, which speaks for itself and is the best evidence of its
22 contents. Any allegations contrary to the plain language are denied.

23 41. The allegations in Paragraph 41 purport to characterize the Outer
24 Continental Shelf Lands Act, which speaks for itself and is the best evidence of its
25 contents. Any allegations contrary to the plain language are denied.

26 42. The allegations in Paragraph 42 purport to characterize the Outer
27 Continental Shelf Lands Act, which speaks for itself and is the best evidence of its

1 contents. Any allegations contrary to the plain language are denied.

2 43. The allegations in Paragraph 43 purport to characterize the Outer
3 Continental Shelf Lands Act, which speaks for itself and is the best evidence of its
4 contents. Any allegations contrary to the plain language are denied.

5 44. The allegations in Paragraph 44 purport to characterize regulations at
6 30 C.F.R. § 550.101, 30 C.F.R. § 250.101, and 30 C.F.R. § 250.180(e), which
7 speak for themselves and are the best evidence of their contents. Any allegations
8 contrary to the plain language are denied.

9 45. The allegations in Paragraph 45 purport to characterize regulations at
10 30 C.F.R. § 250.180(a)(2) and 30 C.F.R. § 250.180(d), which speak for themselves
11 and are the best evidence of their contents. Any allegations contrary to the plain
12 language are denied.

13 46. The allegations in Paragraph 46 purport to characterize regulations at
14 30 C.F.R. § 250.180(a)(2) and 30 C.F.R. § 250.180(d), which speak for themselves
15 and are the best evidence of their contents. Any allegations contrary to the plain
16 language are denied.

17 47. The allegations in the first sentence of Paragraph 47 purport to
18 characterize the regulations at 30 C.F.R. § 250.169(a), which speaks for itself and
19 is the best evidence of its contents. Any allegations contrary to the plain language
20 are denied. The allegations in the second sentence of Paragraph 47 purport to
21 characterize the Ninth Circuit's decision in *California v. Norton*, 311 F.3d 1162
22 (9th Cir. 2002), which speaks for itself and is the best evidence of its contents. Any
23 allegations contrary to the plain language are denied.

24 48. The allegations in Paragraph 48 purport to characterize regulations at
25 30 C.F.R. § 250.1710 and 30 C.F.R. § 250.1725(a), which speak for themselves
26 and are the best evidence of their contents. Any allegations contrary to the plain
27 language are denied.

1 49. The allegations in Paragraph 49 purport to characterize the National
2 Environmental Policy Act, which speaks for itself and is the best evidence of its
3 contents. Any allegations contrary to the plain language are denied.

4 50. The allegations in Paragraph 50 purport to characterize the Supreme
5 Court's decision in *Robertson v. Methow Valley Citizens Council*, 490 U.S. 332
6 (1989), which speaks for itself and is the best evidence of its contents. Any
7 allegations contrary to the plain language are denied.

8 51. The allegations in Paragraph 51 purport to characterize the National
9 Environmental Policy Act, which speaks for itself and is the best evidence of its
10 contents. Any allegations contrary to the plain language are denied.

11 52. The allegations in Paragraph 52 purport to characterize the National
12 Environmental Policy Act, which speaks for itself and is the best evidence of its
13 contents. Any allegations contrary to the plain language are denied.

14 53. The allegations in Paragraph 53 purport to characterize regulations at
15 40 C.F.R. § 1501.5, which speaks for itself and is the best evidence of its contents.
16 Any allegations contrary to the plain language are denied. Similarly, the allegations
17 in the first sentence of footnote 1 in Paragraph 46 purport to characterize the
18 regulations at 40 C.F.R. § 1500.3, which speaks for itself and is the best evidence
19 of its contents. Any allegations contrary to the plain language are denied. The
20 allegations in the second sentence of footnote 1 purport to characterize multiple
21 federal register notices, which speak for themselves and are the best evidence of
22 their contents. Any allegations contrary to the plain language are denied. The
23 allegations in the third sentence of footnote 1 purport to characterize 40 C.F.R. §
24 1506.12, which speaks for itself and is the best evidence of its contents. Any
25 allegations contrary to the plain language are denied. The last two sentences in
26 footnote 1 are legal conclusions that do not require a response. To the extent a
27 response is required, Federal Defendants deny the allegations.

1 54. The allegations in Paragraph 54 purport to characterize regulations at
2 40 C.F.R. § 250.1501.4, which speak for itself and are the best evidence of its
3 contents. Any allegations contrary to the plain language are denied.

4 55. The allegations in Paragraph 55 purport to characterize the DOI's
5 Departmental Manual, which speaks for itself and is the best evidence of its
6 contents. Any allegations contrary to the plain language are denied.

7 56. The allegations in Paragraph 56 purport to characterize additional
8 provisions in DOI's Departmental Manual, which speaks for itself and is the best
9 evidence of its contents. Any allegations contrary to the plain language are denied.

10 57. The allegations in Paragraph 57 purport to characterize 40 C.F.R. §
11 1501.4(b) and 43 C.F.R. § 46.205(a), which speak for themselves and are the best
12 evidence of their contents. Any allegations contrary to the plain language are
13 denied.

14 58. The allegations in Paragraph 58 purport to characterize regulations at
15 40 C.F.R. § 1501.4(b) and 43 C.F.R. § 46.205, which speak for themselves and are
16 the best evidence of their contents. Any allegations contrary to the plain language
17 are denied.

18 59. The allegations in Paragraph 59 purport to characterize regulations at
19 43 C.F.R. § 46.215, which speak for itself and is the best evidence of its contents.
20 Any allegations contrary to the plain language are denied.

21 60. The allegations in Paragraph 60 purport to characterize BSEE's
22 regulations, which speak for themselves and are the best evidence of their contents.
23 Any allegations contrary to the plain language are denied.

24 61. The allegations in the first sentence of Paragraph 61 are legal
25 conclusions to which no response is required. To the extent a response is required,
26 Federal Defendants deny the allegations. The allegations in the second sentence of
27 Paragraph 61 purport to characterize 42 U.S.C. § 4336b(2), which is the best

1 evidence of its contents. Any allegations contrary to the plain language are denied.

2 62. The allegations in Paragraph 62 purport to characterize 40 C.F.R. §§
3 1502.9(d)(1), (2), which are the best evidence of their contents. Any allegations
4 contrary to the plain language are denied.

5 63. The allegations in Paragraph 63 purport to characterize the
6 Administrative Procedure Act, which speaks for itself and is the best evidence of
7 its contents. Any allegations contrary to the plain language are denied.

8 64. The allegations in Paragraph 64 purport to characterize the
9 Administrative Procedure Act, which speaks for itself and is the best evidence of
10 its contents. Any allegations contrary to the plain language are denied.

11 **Factual Allegations**

12 65. Federal Defendants admit the allegations in Paragraph 65.

13 66. Federal Defendants admit the allegations in Paragraph 66.

14 67. Federal Defendants admit the allegations in Paragraph 67.

15 68. Federal Defendants admit the allegations in the first sentence of
16 Paragraph 56. The allegations in the second sentence of Paragraph 68 purport to
17 characterize ExxonMobil's development plan for the Santa Ynez Unit, which
18 speaks for itself and is the best evidence of its contents. Any allegations contrary to
19 the plain language are denied. Federal Defendants admit in the third sentence of
20 Paragraph 56 that production began in 1981 but deny the remainder of the
21 allegations in Paragraph 56.

22 69. Federal Defendants aver that BSEE's records indicate that Sable
23 Offshore Corp. not Sable Offshore Corporation, LLC is the lessee and operator of
24 Platforms Harmony, Heritage, and Hondo and lessee on the leases in the Santa
25 Ynez Unit. Federal Defendants otherwise admit the allegations in Paragraph 69.

26 70. Federal Defendants admit that the change in ownership occurred after
27 the May 20, 2015, oil spill and deny the remainder of the allegations in the first

1 sentence of Paragraph 70. The allegations in the second sentence of Paragraph 70
2 are vague and ambiguous. Federal Defendants therefore lack knowledge or
3 information sufficient to form a belief about the truth of the allegation and deny
4 them on that basis.

5 71. The allegations in Paragraph 71 are vague and ambiguous. Federal
6 Defendants therefore lack knowledge or information sufficient to form a belief
7 about the truth of the allegations and deny them on that basis.

8 72. Federal Defendants admit the allegations in the first and second
9 sentences of Paragraph 72. The third sentence purports to characterize statements
10 operators of the other offshore platforms, which speak for themselves and are the
11 best evidence of their contents. Any allegations contrary to the plain language are
12 denied. Federal defendants lack knowledge or information sufficient to form a
13 belief about the truth of the allegations in the fourth sentence of Paragraph 72 and
14 deny them on that basis.

15 73. The allegations in Paragraph 73 purport to characterize lease
16 extension requests from Exxon and subsequent approvals by BSEE, which speak
17 for themselves and are the best evidence of their contents. All allegations
18 inconsistent with the plain language are denied.

19 74. Federal Defendants admit the allegations in the first sentence of
20 Paragraph 74. The allegations in the second and third sentences of Paragraph 74
21 constitute conclusions of law to which no response is required. To the extent a
22 response is required, Federal Defendants deny the allegations.

23 75. Federal Defendants admit the allegations in the first sentence of
24 Paragraph 75. Federal Defendants lack knowledge or information sufficient to
25 form a belief about the truth of the allegations in the second sentence of Paragraph
26 75 and deny them on that basis.

27 76. Federal Defendants lack knowledge or information sufficient to form

1 a belief about the truth of the allegations in Paragraph 76 and deny them on that
2 basis.

3 77. Federal Defendants lack knowledge or information sufficient to form
4 a belief about the truth of the allegations in Paragraph 77 and deny them on that
5 basis.

6 78. Federal Defendants deny the allegations in Paragraph 78.

7 79. Federal Defendants admit the allegations in Paragraph 79.

8 80. The allegations in Paragraph 80 purport to characterize BSEE's
9 NEPA categorical exclusion review of the relevant AMPs, which speaks for itself
10 and is the best evidence of its contents. Any allegations contrary to the plain
11 language are denied.

12 81. The allegations in Paragraph 81 are vague and ambiguous. Federal
13 Defendants therefore lack knowledge or information sufficient to form a belief
14 about the truth of the allegations and deny them on that basis.

15 82. Federal Defendants admit the allegations in Paragraph 82.

16 83. Federal Defendants lack knowledge or information sufficient to form
17 a belief about the truth of the allegations in the first sentence of Paragraph 83 and
18 deny them on that basis. The allegations in the second sentence of Paragraph 83
19 purport to characterize a September 27, 2024, notice issued by the California
20 Coastal Commission, which speaks for itself and is the best evidence of its
21 contents. Any allegations contrary to the plain language are denied. The allegations
22 in the third sentence of Paragraph 83 purport to characterize an October 4, 2024,
23 letter sent by the California Coastal Commission, which speaks for itself and is the
24 best evidence of its contents. Any allegations contrary to the plain language are
25 denied. The allegations in the fourth sentence of Paragraph 83 purport to
26 characterize a November 12, 2024, order issued by the California Coastal
27 Commission, which speaks for itself and is the best evidence of its contents. Any

1 allegations contrary to the plain language are denied.

2 84. Federal Defendants lack knowledge or information sufficient to form
3 a belief about the truth of the allegations in Paragraph 84 and deny them on that
4 basis.

5 85. The allegations in Paragraph 85 are vague and ambiguous. Federal
6 Defendants therefore lack knowledge or information sufficient to form a belief
7 about the truth of the allegations and deny them on that basis.

8 86. Federal Defendants deny the allegations in the first two sentences of
9 Paragraph 86 but aver that certain oil and gas activities inherently present a risk of
10 oil spills and those risks are minimized through proper monitoring, maintenance,
11 and BSEE oversight of operations and facilities. With respect to the allegations in
12 sentences three through eight of Paragraph 86, Federal Defendants admit that oil
13 spills can cause various forms of environmental harm. Federal Defendants lack
14 information and knowledge sufficient to form a belief as to the truth of Plaintiffs'
15 remaining allegations in sentences three through eight of Paragraph 86 and deny
16 them on that basis. [

17 87. The allegations in the first sentence of Paragraph 87 are vague and
18 ambiguous. Federal Defendants therefore lack knowledge or information sufficient
19 to form a belief about the truth of the allegations and deny them on that basis.
20 However, Federal Defendants aver that some degree of exposure to oil could have
21 adverse effects on fish . Federal Defendants otherwise lack information and
22 knowledge sufficient to form a belief as to the truth of the allegations in Paragraph
23 87 and deny them on that basis.

24 88. Federal Defendants aver that, depending on the specific circumstances
25 of an oil spill event at the Santa Ynez Unit, the species Plaintiff identifies could be
26 susceptible. Federal Defendants otherwise deny the allegations in Paragraph 88.

27 89. Federal Defendants deny the allegations in the first and third

1 sentences of Paragraph 89 and admit the allegations in the second sentence of
2 Paragraph 89.

3 90. Federal Defendants deny the allegations in the first sentence of
4 Paragraph 90 but aver that oil spill and accident risks are presented by certain oil
5 and gas activities and can be minimized through proper monitoring, maintenance,
6 and BSEE oversight of wells and facilities. Federal Defendants deny the
7 allegations in the second sentence of Paragraph 90, and aver that the Plains All
8 American Pipeline was not in the Santa Ynez Unit. The allegations in the third
9 sentence of Paragraph 90 purport to characterize the environmental analysis
10 prepared by the Bureau of Land Management and California State Lands
11 Commission in 1985, which speaks for itself and is the best evidence of its
12 contents. Federal Defendants deny any allegations contrary to the plain language of
13 that analysis.

14 91. The allegations in Paragraph 91 purport to characterize certain
15 unidentified studies. Federal Defendants thus lack information and knowledge
16 sufficient to form a belief as to the truth of the allegations in Paragraph 91 and
17 deny them on that basis.

18 92. Federal Defendants lack information and knowledge sufficient to form
19 a belief as to the truth of the allegations in Paragraph 92 and deny them on that
20 basis.

21 93. The allegations in Paragraph 93 purport to characterize certain
22 unidentified federal records. Federal Defendants lack information and knowledge
23 sufficient to form a belief as to the truth of the allegations in Paragraph 93 and
24 deny them on that basis.

25 94. Federal Defendants admit the allegations in the first sentence of
26 Paragraph 94. The allegations in the second and third sentences of Paragraph 94
27 are vague and ambiguous. Federal Defendants therefore lack knowledge or

1 information sufficient to form a belief about the truth of the allegations and deny
2 them on that basis. The allegations in the fourth sentence of Paragraph 94 purports
3 to characterize a statement by ExxonMobil without further identifying information.
4 Federal Defendants thus lack information and knowledge sufficient to form a belief
5 as to the truth of the allegations in the fourth sentence of Paragraph 94 and deny
6 them on that basis.

7 95. Federal Defendants aver that certain activities associated with oil and
8 gas production can emit fine particulate matter and volatile organic compounds but
9 otherwise deny the allegations in the first sentence of Paragraph 95. The second
10 sentence in Paragraph 95 amounts to a legal conclusion that requires no response.
11 Federal Defendants lack information and knowledge sufficient to form a belief as
12 to the truth of the allegations in the third, fourth, and fifth sentences in Paragraph
13 95 and deny them on that basis.

14 96. Federal Defendants aver that oil and gas drilling can involve the
15 discharge of drilling muds and cuttings, produced wastewater, and/or well
16 treatment and workover fluids but otherwise deny the allegations in the first
17 sentence of Paragraph 96. The allegations in the second sentence of Paragraph 96
18 purport to characterize a NDPES permit issued by the US EPA for oil and gas
19 exploration, development, and production facilities on the California Outer
20 Continental Shelf, which speaks for itself and is the best evidence of its contents.
21 Federal Defendants deny any allegations contrary to the plain language. The
22 allegations in the third sentence of Paragraph 96 are vague and ambiguous are
23 vague and ambiguous. Federal Defendants therefore lack knowledge or
24 information sufficient to form a belief about the truth of the allegations and deny
25 them on that basis.

26 97. The allegations in the first and second sentences of Paragraph 97 are
27 vague and ambiguous and Federal Defendants therefore lack knowledge or

1 information sufficient to form a belief as to their truth and deny them on that basis.
2 Federal Defendants admit the allegations in the third and fourth sentences of
3 Paragraph 97. Federal Defendants lack information and knowledge sufficient to
4 form a belief as to the truth of the allegations in the fifth sentence in Paragraph 97
5 and deny them on that basis.

6 98. Federal Defendants aver that oil and gas activities can involve and
7 lead to the burning of fossil fuels, which contributes to climate change. The
8 allegations in the first sentence of Paragraph 98 are otherwise vague and
9 ambiguous. Federal Defendants therefore lack knowledge or information sufficient
10 to form a belief about the truth of the allegation and deny them on that basis.
11 Federal Defendants lack information and knowledge sufficient to form a belief as
12 to the truth of the allegations in the remaining sentences in Paragraph 98 and deny
13 them on that basis.

14 99. The allegations in Paragraph 99 purport to characterize various BSEE
15 decisions and ExxonMobil applications, which speak for themselves and are the
16 best evidence of their contents. Federal Defendants deny any allegations
17 inconsistent with the plain language, meaning, and context of those documents.
18 With respect to the allegations in the last sentence of Paragraph 99, Defendants
19 aver that the current approval expires at midnight on December 13, 2024, not on
20 December 31, 2024.

21 100. The allegations in Paragraph 100 purport to characterize BSEE's
22 November 2023 decision to grant an extension, which speaks for itself and is the
23 best evidence of its contents. Federal Defendants deny any allegations inconsistent
24 with the plain language, meaning, and context of that decision.

25 101. The allegations in Paragraph 101 purport to characterize BSEE's
26 November 2023 decision to grant an extension, which speaks for itself and is the
27 best evidence of its contents. Federal Defendants deny any allegations inconsistent

1 with the plain language, meaning, and context of that decision.

2 102. The allegations in Paragraph 102 purport to characterize BSEE's
3 November 2023 decision to grant an extension, which speaks for itself and is the
4 best evidence of its contents. Federal Defendants deny any allegations inconsistent
5 with the plain language, meaning, and context of that decision.

6 103. The allegations in Paragraph 103 purport to characterize BSEE's
7 November 2023 decision to grant an extension, which speaks for itself and is the
8 best evidence of its contents. Federal Defendants deny any allegations inconsistent
9 with the plain language, meaning, and context of that decision.

10 104. Federal Defendants admit the allegations in Paragraph 104.

11 105. The allegations in Paragraph 105 purport to characterize BSEE's
12 categorical exclusion review, which speaks for itself and is the best evidence of its
13 contents. Federal Defendants deny any allegations inconsistent with the plain
14 language, meaning, and context of that document.

15 106. The allegations in Paragraph 106 purport to characterize BSEE's
16 categorical exclusion review, which speaks for itself and is the best evidence of its
17 contents. Federal Defendants deny any allegations inconsistent with the plain
18 language, meaning, and context of that document.

19 107. The allegations in Paragraph 107 purport to characterize BSEE's
20 categorical exclusion review, which speaks for itself and is the best evidence of its
21 contents. Federal Defendants deny any allegations inconsistent with the plain
22 language, meaning, and context of that document.

23 108. The allegations in Paragraph 108 purport to characterize BSEE's
24 categorical exclusion review, which speaks for itself and is the best evidence of its
25 contents. Federal Defendants deny any allegations inconsistent with the plain
26 language, meaning, and context of that document.

27 109. The allegations in Paragraph 109 purport to characterize BSEE's

1 categorical exclusion review, which speaks for itself and is the best evidence of its
2 contents. Federal Defendants deny any allegations inconsistent with the plain
3 language, meaning, and context of that document.

4 110. The allegations in Paragraph 110 purport to characterize BSEE's
5 categorical exclusion review, which speaks for itself and is the best evidence of its
6 contents. Federal Defendants deny any allegations inconsistent with the plain
7 language, meaning, and context of that document.

8 111. Federal Defendants deny the allegations in Paragraph 111.

9 112. The allegations in the first sentence of Paragraph 112 purport to
10 characterize a February 2023 letter from Plaintiffs to BSEE, which speaks for itself
11 and is the best evidence of its contents. BSEE denies the allegations in the third
12 sentence of Paragraph 112. BSEE admits the allegations in the fourth sentence of
13 Paragraph 112.

14 113. Federal Defendants admit the allegations in Paragraph 113.

15 114. Federal Defendants admit the allegations in Paragraph 114.

16 115. The allegations in the first two sentences of Paragraph 115 are legal
17 conclusions that require no response. To the extent a response is required, Federal
18 Defendants deny the allegations. Federal Defendants admit that BSEE relied on a
19 categorical exclusion to approve Sable's Applications for Permits to Modify
20 (APMs).

21 116. The allegations in Paragraph 116 purport to characterize BSEE's
22 analysis in its NEPA Categorical Exclusion Reviews for the relevant APMs and
23 516 DM § 15.4(C)(12), which speak for themselves and are the best evidence of
24 their contents. Any allegations contrary to the plain language are denied.

25 117. The allegations in Paragraph 117 purport to characterize BSEE's
26 analysis in its NEPA Categorical Exclusion Reviews for the relevant APMs, which
27 speak for themselves and are the best evidence of their contents. Any allegations

1 contrary to the plain language are denied.

2 118. The allegations in Paragraph 118 are legal conclusions to which no
3 response is required. To the extent a response is required, Federal Defendants deny
4 the allegations in Paragraph 118.

5 119. Federal Defendants deny the allegations in Paragraph 119.

6 120. The allegations in Paragraph 120 are legal conclusions that do not
7 require a response. To the extent a response is required, the allegations are denied.

8 121. The allegations in Paragraph 121 purport to characterize BSEE's
9 analysis in its NEPA Categorical Exclusion Reviews for the relevant APMs, which
10 are the best evidence of their contents. Any allegations contrary to the plain
11 language are denied.

12 122. The allegations in Paragraph 122 purport to characterize BSEE's
13 analysis in its NEPA Categorical Exclusion Reviews for the relevant APMs, which
14 are the best evidence of their contents. Any allegations contrary to the plain
15 language are denied.

16 123. The allegations in Paragraph 123 purport to characterize BSEE's
17 analysis in its NEPA Categorical Exclusion Reviews for the relevant APMs, which
18 are the best evidence of their contents. Any allegations contrary to the plain
19 language are denied.

20 124. The allegations in Paragraph 124 purport to characterize BSEE's
21 analysis in its NEPA Categorical Exclusion Reviews for the relevant APMs, which
22 are the best evidence of their contents. Any allegations contrary to the plain
23 language are denied.

24 125. The allegations in Paragraph 125 purport to characterize BSEE's
25 analysis in its NEPA Categorical Exclusion Reviews for the relevant APMs, which
26 are the best evidence of their contents. Any allegations contrary to the plain
27 language are denied.

1 126. The allegations in Paragraph 126 purport to characterize BSEE's
2 analysis in its NEPA Categorical Exclusion Reviews for the relevant APMs, which
3 are the best evidence of their contents. Any allegations contrary to the plain
4 language are denied.

5 127. The allegations in Paragraph 127 purport to characterize BSEE's
6 analysis in its NEPA Categorical Exclusion Reviews for the relevant APMs, which
7 are the best evidence of their contents. Any allegations contrary to the plain
8 language are denied.

9 128. The allegations in Paragraph 128 purport to characterize BSEE's
10 analysis in its NEPA Categorical Exclusion Reviews for the relevant APMs, which
11 are the best evidence of their contents. Any allegations contrary to the plain
12 language are denied.

13 129. The allegations in the first sentence of Paragraph 129 are vague and
14 ambiguous. Federal Defendants therefore lack knowledge or information sufficient
15 to form a belief about the truth of the allegations and deny them on that basis.
16 Federal Defendants deny the allegations in the second sentence of Paragraph 129.

17 130. Federal Defendants deny the allegations in Paragraph 130.

18 131. Federal Defendants deny the allegations in the first sentence of
19 Paragraph 131. The second and third sentences of Paragraph 131 purports to
20 character the 1975 EIS for "Oil and Gas Development in the Santa Barbara
21 Channel, Outer Continental Shelf off California," which is the best evidence of its
22 contents. Any allegations contrary to the plain language are denied.

23 132. The allegations in the first sentence of Paragraph 132 purport to
24 characterize development and production plans for the Santa Ynez Unit, which are
25 the best evidence of their contents. Any allegations contrary to the plain language
26 are denied. The allegations in the second sentence of Paragraph 132 purport to
27 characterize an EIS for the Santa Ynez Unit, which is the best evidence of their

1 contents. Any allegations contrary to the plain language are denied.

2 133. The allegations in Paragraph 133 purport to characterize BSEE's
3 permits for the relevant APMs, which are the best evidence of their contents. Any
4 allegations contrary to the plain language are denied.

5 134. The allegations in the Paragraph 134 are vague and ambiguous.
6 Federal Defendants therefore lack knowledge or information sufficient to form a
7 belief about the truth of the allegations and deny them on that basis.

8 135. Federal Defendants admit that there was an oil spill from an onshore
9 pipeline associated with the Santa Ynez Unit in 2015 but lack information and
10 knowledge sufficient to form a belief as to the truth of the remaining allegations in
11 Paragraph 135 and deny them on that basis.

12 136. Federal Defendants lack information and knowledge sufficient to form
13 a belief as to the truth of the allegations in Paragraph 136 and deny them on that
14 basis.

15 137. Federal Defendants lack information and knowledge sufficient to form
16 a belief as to the truth of the allegations in Paragraph 137 and deny them on that
17 basis.

18 138. Federal Defendants admit in the first sentence of Paragraph 138 that
19 two platforms were constructed more than 35 years ago and one was constructed
20 nearly 50 years ago but deny the remaining allegations in the first sentence of
21 Paragraph 138. The allegations in the second sentence of Paragraph 138 purport to
22 characterize the development plans and an environmental analysis associated with
23 the Santa Ynez Unit, which speak for themselves and are the best evidence of their
24 contents. Any allegations contrary to the plain language are denied. Federal
25 Defendants deny the allegations in the third sentence of Paragraph 138.

26 139. Federal Defendants admit in the first sentence of Paragraph 139 that
27 restarting the Santa Ynez unit will result in oil production but deny the remaining

1 allegations in that sentence. The allegations in the second and third sentences in
2 Paragraph 139 purport to characterize certain development plans and BSEE
3 reports, which are the best evidence of their contents. Any allegations contrary to
4 the plain language are denied.

5 140. The allegations in the first sentence of Paragraph 140 are vague and
6 ambiguous and therefore Federal Defendants lack information and knowledge
7 sufficient to form a belief as to the truth of the allegations. Federal Defendants
8 admit the allegation in the second sentence that ExxonMobil used extended reach
9 drilling but lack information and knowledge sufficient to form a belief as to the
10 truth of the remaining allegations in the second sentence of Paragraph 140 and
11 deny them on that basis.

12 141. Federal Defendants admit in the first sentence of Paragraph 141 that a
13 National Marine Sanctuary was designated off coastal Santa Barbara in October
14 2024. The remaining allegations in the first sentence purport to characterize the
15 decision document establishing the Marine Sanctuary, which document speaks for
16 itself and is the best evidence of its contents. Any allegations contrary to its plain
17 language are denied. Federal Defendants admit in the second sentence of
18 Paragraph 141 that the Santa Ynez Unit is adjacent to the National Marine
19 Sanctuary off coastal Santa Barbara but deny the remaining allegations in this
20 sentence.

21 142. Federal Defendants lack information and knowledge sufficient to form
22 a belief as to the truth of the allegations in the first, third, and fourth sentences in
23 Paragraph 142 and deny them on that basis. The allegations in the second sentence
24 of Paragraph 142 purport to characterize the development plan and NEPA
25 documents associated with the Santa Ynez Unit, which are the best evidence of
26 their contents. Any allegations contrary to the plain language are denied.

27 143. The allegations in the Paragraph 143 purport to characterize the

1 NEPA documents associated with the Santa Ynez Unit, which are the best
2 evidence of their contents. Any allegations contrary to the plain language are
3 denied.

4 144. Federal Defendants lack information and knowledge sufficient to form
5 a belief as to the truth of the allegations in Paragraph 144 and deny them on that
6 basis.

7 145. The first sentence in Paragraph 145 amounts to a legal conclusion that
8 requires no response. To the extent a response is required, Federal Defendants
9 deny the allegations. Federal Defendants lack information sufficient and
10 knowledge sufficient to form a belief as to the truth of the allegations in the first
11 clause of the second sentence in Paragraph 145. Federal Defendants admit in the
12 second clause of the second sentence in Paragraph 145 that it has issued permits. In
13 the last clause of the second sentence in Paragraph 145, Federal Defendants deny
14 that it will wholesale issue approvals for oil and gas operations at the Santa Ynez
15 Unit but that BSEE will review permit requests according to the facts and law to
16 determine whether they should be approved or denied.

17 146. Federal Defendants admit the allegations in Paragraph 146.

18 147. Federal Defendants admit that oil and gas activity has occurred at the
19 Santa Ynez Unit but deny the remaining allegations in Paragraph 147.

20 **First Claim**

21 148. Federal Defendants incorporate by reference their responses to
22 Paragraphs 1 through 147.

23 149. The allegations in Paragraph 149 purport to characterize provisions of
24 OCSLA, which speak for themselves and are the best evidence of their contents.
25 Federal Defendants deny any allegations inconsistent with the plain language,
26 meaning, and context of OCSLA.

27 150. The allegations in Paragraph 150 purport to characterize OCSLA and

1 its implementing regulations, which speak for themselves and are the best evidence
2 of their contents. Federal Defendants deny any allegations inconsistent with the
3 plain language, meaning, and context of the statutes and regulations.

4 151. The allegations in Paragraph 151 purport to characterize OCSLA's
5 implementing regulations, which speak for themselves and are the best evidence of
6 their contents. Federal Defendants deny any allegations inconsistent with the plain
7 language, meaning, and context of the regulations.

8 152. The allegations in Paragraph 152 purport to characterize BSEE's
9 November 2023 decision to grant an extension, which speaks for itself and is the
10 best evidence of its contents. Federal Defendants deny any allegations inconsistent
11 with the plain language, meaning, and context of that decision.

12 153. Federal Defendants deny the allegations in Paragraph 153.

13 **Second Claim**

14 154. Federal Defendants incorporate by reference their responses to
15 Paragraphs 1 through 147.

16 155. The allegations in Paragraph 155 purport to characterize provisions in
17 NEPA and related regulatory provisions, which speak for themselves and are the
18 best evidence of their contents. Federal Defendants deny any allegations
19 inconsistent with the plain language, meaning, and context of the statutes and
20 regulations.

21 156. The allegations in Paragraph 156 are conclusions of law that require
22 no response. To the extent a response is required, Federal Defendants deny the
23 allegations.

24 157. Federal Defendants deny the allegations in the first and fourth
25 sentences of Paragraph 157. Federal Defendants admit the allegations in the second
26 and third sentences of Paragraph 157.

27 158. Federal Defendants deny the allegations in Paragraph 158.

1 159. Federal Defendants deny the allegations in the first sentence of
2 Paragraph 159. The allegations in the first, second, fourth, and fifth sentences of
3 Paragraph 159 purport to characterize BSEE's extraordinary circumstances review
4 and decision to grant the extension, which speak for themselves and are the best
5 evidence of their contents. Any allegations contrary to the plain language are
6 denied. The allegation in the third sentence of Paragraph 159 amounts to a legal
7 conclusion that requires no response. To the extent a response is required, Federal
8 Defendants deny the allegations in the third sentence of Paragraph 159.

9 160. The allegations in Paragraph 160 purport to characterize BSEE's
10 extraordinary circumstances review and ExxonMobil's lease extension applications
11 and BSEE's extension decision, which speak for themselves and are the best
12 evidence of their contents. Federal Defendants deny any allegations inconsistent
13 with the plain language, meaning, and context of these.

14 161. The Federal Defendants deny the allegations in Paragraph 161.

15 **Third Claim**

16 162. Federal Defendants incorporate by reference their responses to
17 Paragraphs 1 through 147.

18 163. The allegations in Paragraph 163 purport to characterize the National
19 Environmental Policy Act and related regulations, which speak for themselves and
20 are the best evidence of its contents. Any allegations contrary to the plain language
21 are denied.

22 164. The allegations in Paragraph 164 constitute legal conclusions that do
23 not require a response. To the extent a response is required, Federal Defendants
24 deny the allegations.

25 165. The allegations in Paragraph 165 constitute legal conclusions that do
26 not require a response. To the extent a response is required, Federal Defendants
27 deny the allegations.

1 166. Federal Defendants deny the allegations in Paragraph 166.

2 167. Federal Defendants deny the allegations in Paragraph 167.

3 168. Federal Defendants deny the allegations in Paragraph 168.

4 169. Federal Defendants deny the allegations in the first sentence of
5 Paragraph 169. The allegations in the second and fourth sentences of Paragraph
6 169 purport to characterize BSEE's analysis in its NEPA Categorical Exclusion
7 Reviews for the relevant APMs, which speaks for itself and is the best evidence of
8 its contents. Any allegations contrary to the plain language are denied. Federal
9 Defendants deny the allegations in the third and fifth sentences of Paragraph 169.

10 170. Federal Defendants deny the allegations in Paragraph 170.

11 **Fourth Claim**

12 171. Federal Defendants incorporate by reference their responses to
13 Paragraphs 1 through 147.

14 172. The allegations in Paragraph 172 purport to characterize the National
15 Environmental Policy Act and related regulations, which speak for themselves and
16 are the best evidence of its contents. Any allegations contrary to the plain language
17 are denied.

18 173. The allegations in Paragraph 172 purport to characterize the National
19 Environmental Policy Act and related regulations, which speak for themselves and
20 are the best evidence of its contents. Any allegations contrary to the plain language
21 are denied.

22 174. The allegations in Paragraph 174 are legal conclusions that require no
23 response. To the extent a response is required, Federal Defendants deny the
24 allegations.

25 175. Federal Defendants deny the allegations in the first sentence of
26 Paragraph 175. Federal Defendants deny the first clause in the second sentence of
27 Paragraph 175. Federal Defendants admit the second and third clauses in the

1 second sentence of Paragraph 175.

2 176. The allegations in the first sentence of Paragraph 176 are vague and
3 ambiguous. Federal Defendants therefore lack knowledge or information sufficient
4 to form a belief about the truth of the allegations and deny them on that basis.
5 Federal Defendants admit the allegations in the second sentence of Paragraph 176.
6 The allegations in the third and fourth sentence of Paragraph 176 purport to
7 characterize the 1975 Santa Barbara Channel EIS and 1984 Santa Ynez Unit EIS,
8 which speak for themselves and are the best evidence of their contents. Any
9 allegations contrary to the plain language are denied.

10 177. The allegations in Paragraph 177 purport to characterize the National
11 Environmental Policy Act and related regulations, which speak for themselves and
12 are the best evidence of its contents. Any allegations contrary to the plain language
13 are denied.

14 178. Federal Defendants deny the allegations in Paragraph
15 The remaining allegations in the Complaint constitute Plaintiffs' prayer for
16 relief, to which no response is required. To the extent that a response is required,
17 Federal Defendants deny that Plaintiffs are entitled to the relief requested or to any
18 relief whatsoever.

19 Federal Defendants deny any allegations in the Complaint, whether express
20 or implied, that are not expressly admitted, denied, or qualified above.

21 Federal Defendants request that the Court deny Plaintiffs the relief they
22 request, dismiss Plaintiffs' Complaint with prejudice, and enter judgment for
23 Federal Defendants.

24
25 Respectfully submitted this 27th day of February 2025.

26 LISA L. RUSSELL
27 Deputy Assistant Attorney General

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